



**STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE
LOS ANGELES COUNTY COMMISSION FOR
CHILDREN AND FAMILIES
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 739
LOS ANGELES, CALIFORNIA 90012
<http://latchildrenscommission.org>**

Monday, December 7, 2015

10:00 AM

AUDIO FOR THE ENTIRE MEETING. (15-5823)

Attachments: [AUDIO](#)

Present: Commissioner Genevra Berger, Commissioner Carol O. Biondi, Commissioner Maria Brenes, Commissioner Candace Cooper, Commissioner Patricia Curry, Commissioner Wendy Garen, Commissioner Sydney Kamlager, Commissioner John Kim, Commissioner Liz Seipel, Commissioner Janet Teague, Vice Chair Jacquelyn McCroskey, Vice Chair Wendy B. Smith and Chair Sunny Kang

Absent: Commissioner Adrienne Konigar-Macklin

I. ADMINISTRATIVE MATTERS

1. Call to Order. (15-5187)

The meeting was called to order by Chair Kang at 10:00 a.m.

2. Introduction of the meeting attendees. (15-5719)

Self-introductions were made.

3. Approval of the minutes from the meeting of November 2, 2015. (15-5064)

On motion of Vice Chair Smith, seconded by Commissioner Teague (Commissioner Konigar-Macklin being absent), this item was approved.

Attachments: [SUPPORTING DOCUMENT](#)

4. Approval of the minutes from the meeting of November 16, 2015. (15-5189)

On motion of Commissioner Seipel, seconded by Commissioner Berger (Commissioner Konigar-Macklin being absent and Commissioner Brenes abstained), this item was approved.

Attachments: [SUPPORTING DOCUMENT](#)

II. REPORTS

5. Chair's Report. (15-5190)

Chair Kang reported the following:

- **Today's meeting will end at 11:30 a.m. to allow time to attend the Holiday Luncheon; and**
- **Agenda Item No.7 will be discussed after Agenda Item No. 5, to accommodate the presenter's time schedule.**

6. Department of Children and Family Services Director's Report by Philip L. Browning, Director. (15-5193)

Director Philip L. Browning reported on the following:

- **The Katie A. panel and plaintiffs were in last week. In an effort to infuse resources and reduce caseloads, two offices were chosen for the immersion category;**
- **An audit regarding the use of psychotropic medication is scheduled to take place soon. One of the goals is to work in collaboration with the Department of Mental Health to automate the psychotropic medication process, a request for additional funding for this process has been submitted; and**
- **There has been a heightened concern for security from employees due to the recent San Bernardino massacre. Workers have requested the use of metal detectors and extra security; security training for employees is already in existence. Communication with other counties regarding the use of metal detectors has occurred, a few offices in San Francisco and San Diego use metal detectors; however, in most cases, these incidents are carried out by the employees. A meeting with union representatives to discuss the increase of security methods will take place soon.**

Commissioner Curry encouraged all commissioners to meet with Ms. Hunter in the Commission Office to go over safety measures.

Diana Iglesias, Department of Children and Family Services, reported on the following Foster Care Plan:

- **The Stakeholder Process Plan took place last week; 16 different components were identified and 18 initiatives are included in the plan, the plan will go before Mr. Browning for signature**
- **Iana McCloud has been rehired and will help with the UCLA study that was conducted and oversee the implementation of the plan.**

Tamara Hunter, MSW, Executive Director indicated that DCFS will be presenting on this issue at the next meeting. In response to questions posed by the Commission, Ms. Iglesias indicated that 15 million dollars was requested for the plan; however, 17 million was granted. Staff will review commissioner parking records and identifications cards to ensure validity.

III. DISCUSSION

7. Discussion of November 16, 2015 Auditor-Controller Report, Use of Non-Contracted Group Homes by the Department of Children and Family Services

Auditor-Controller

- **Robert Campbell, Acting Assistant Auditor-Controller**
- **Michelle Day, Children's Group Home Ombudsman**

DCFS

- **Karen Richardson, Out-of-Home Care Management Division**

Probation Department

- **Pamela Pease, Placement Permanency & Quality Assurance (15-5188)**

Greg Hellmold, Chief Investigator, Auditor-Controller (A-C), reported that they received a call through the Fraud Hotline regarding activities by a non-contracted group home and it alerted A-C of the Department of Children and Family Services' (DCFS) use of non-contracted group homes. Due to not having a contractual agreement with the group home, A-C was unable to review financial records and it resulted in the issuance of this report. Mr. Hellmold clarified that this report is not an audit review since they do not have access to non-contracted group home financial reports.

Robert Campbell, Acting Assistant Auditor-Controller, A-C, explained that they looked at the Department's use of these facilities and tried to quantify how many children were placed there, the County's total dollar commitment in terms of payments made to these agencies, and to learn more about the process used to make placement decisions in these types of situations.

In response to questions posed by the Commission, Karen Richardson, DCFS, indicated that they are currently working with agencies that have not had an opportunity to apply for a contract because the option to contract with the County has not re-opened since 2008. The solicitation process for agencies that want to contract with the County and meet the minimum qualifications opened November 30 and will close on December 30, 2015. Ms. Richardson stated that DCFS will continue to utilize these agencies since a number of children are placed with these agencies by court order and DCFS cannot remove them. Ms. Richardson added that while most of these children are difficult to place, some are non-minor dependents that make the decision to stay there. Ms. Richardson confirmed that some of these children are AB12.

Philip L. Browning, Director, DCFS, provided an overview on their use of non-contracted group homes. Los Angeles County is the only county in the state that contracts with the agencies; the state issues licenses to these facilities and determines the rate to be paid to these facilities.

Non-contracted group homes used by DCFS are used as a last resort placement. Mr. Browning noted that there are a series of approvals required to get a child placed in a non-contracted group home. Social Workers have an option of leaving a child at the Welcome Center for days or making a placement in a non-contracted facility. DCFS agreed that it is in the best interest of the child to have them placed in a licensed facility where the state have already issued their rate letter rather than leaving them at the Welcome Center. Social Workers return to these facilities at least once a month to ensure the child is safe. DCFS will remove a child from any placement deemed unsafe.

Ms. Richardson added that these facilities are regional facilities which DCFS does not have contracts with and many of which have a rate level of RCL14 which is one of the highest rates for group homes that provide services to children with a high level of health needs; many contracted agencies are not able to provide services to children with such high level

health needs.

In response to questions posed by the Commission, Mr. Browning stated the Chief Psychiatrist is responsible for signing off on placement if there are no other placement options or facilities available for these children. With regards to the contracting process, Mr. Browning also stated that County Counsel has agreed to allow DCFS to take in facilities on a flow basis as opposed to having the agency wait three years to apply if they have missed the submission deadline. Mr. Browning reiterated that social workers visit these facilities at least once a month.

Mr. Campbell stated that there is comprehensive system of fiscal oversight and quality assurance that is part of the contracting process in the County. Many of the additional levels of reviews are not imposed on non-contracted entities. Mr. Campbell mentioned that one of the significant findings in the report was that DCFS policies were not being followed. For instance, multiple levels of approvals were not being obtained and facilities did not have rate letters on file which is a requirement to make placement.

Ms. Richardson indicated that DCFS clears the facility through Community Care Licensing (CCL) before approving placements to check for open complaints or investigations and will not approve placement if there are concerns with the facility. As for the A-C review, DCFS will be implementing a process whereby agencies that do not contract with DCFS will have to report special incidents to DCFS so that it can be monitored. DCFS is enhancing its oversight of those agencies.

In response to questions posed by the Commission, Michelle Day, Children's Group Home Ombudsman, A-C, confirmed that the group home that was the subject of the review had children that were verbal, junior high/high school age boys that were able to communicate. Once A-C became aware of non-contracted group home, Ms. Day visited each child placed. Some of the children were developmentally delayed with a handful of them being non-verbal due to physical or mental ability and cannot comprehend how Ms. Day can assist them. Ms. Day spoke with staff to ensure social workers were visiting monthly.

In response to comments regarding contracts ensuring a higher standard of care and group homes having no incentives to contract with DCFS, Mr. Browning also indicated that once the contracting process opens, group homes will be able to contract with the County more often than every three

to five years. DCFS' goal is to place children with contracted agencies unless they have exhausted all other options.

Pamela Pease, Placement Permanency & Quality Assurance, Probation Department (PD), added that PD's process is a little different because they are on a smaller scale. Placements are usually court-ordered and are very unique for Probation youth where there are no other contracted agencies that can take the youth. Examples include gang entrenched youth and CSEC youth.

In response to questions posed by the Commission, Ms. Richardson confirmed that the DCFS policy stated that placements are reviewed every six months. Any children that have been placed longer than six months are most likely Regional Center clients with developmental disabilities and other placements can't be found. DCFS is in the process of updating the policy. Ms. Richardson also confirmed that some of these group homes are small, community six bed group homes, while some are larger and are out of County. It was noted that ten children and four agencies are out of County. Sites are visited before any placement of children in these homes and are revisited once a month. Additionally, Ms. Richardson advised that DCFS was going to open new contracts earlier however, kept getting extensions on current contracts to await the State's release of AB403 Legislation. DCFS also agrees with the findings in the A-C report and stated that they will enhance the policy.

Mr. Browning added that although the non-contracted group homes are used as a last resort they are safe placements. DCFS recommends programmatic and fiscal monitoring of non-contracted group homes and is working with County Counsel to amend the placement agreement since non-contracted group homes are not subject to comply with the County's oversight and compliance activity.

In response to questions posed by the Commission, Ms. Day confirmed that a lot of the children at these group homes did not know of an ombudsman until she visited the homes. Some did not know to call her and some were unable to due to their disabilities.

Mr. Campbell stated that it is an ongoing communication process between A-C and DCFS. Internal processes were not being followed accurately; the existing policy required multiple levels of approval and there was no documentation of placement in some cases reviewed. Ms. Richardson stated that DCFS reviewed all placements to see which one did not

complete the process per policy and added that it is critical to enhance training of staff and have databases made available to staff to check facilities for clearance. Ms. Richardson clarified that the process cannot be completed afterhours since CCL does not work afterhours to clear the facilities. These placements were not meant for emergency placement, but for planned placement. There is a list available on DCFS' internal website that contains a list of contracted agencies. DCFS will provide additional training to Technical Assistants and Social Workers to ensure that they double check the list and that appropriate approvals are obtained before moving forward with a placement.

Ms. Pease confirmed that there are 85 probation youth that are placed in non-contracted group homes, which includes out-of-state and out-of-county. PD has a joint process with Placement Administrative Services where they look at the program statement prior to sending youth out. PD staff inspects the facilities to ensure they are in very good condition. PD staff checks on the kids out of state and County; additionally, each state has their own ombudsman for probation youth. Ms. Pease will provide a breakdown of how many children are out-of-state, out-of-county and CSEC youth.

Ms. Richardson reported that when DCFS places children out-of-state, they use the Interstate Compact on the Placement of Children to work with that state for them to assist and provide supervision to the child placed in that state. DCFS has approval for them to place a child in that state and they have workers visiting those facilities for them because DCFS does not visit the out-of-state placement every month.

Ms. Day noted that she is an ombudsman specifically for DCFS. For group homes that consist of both DCFS and Probation youth, she will contact PD's ombudsman to schedule joint visits so that they can reach out to all Los Angeles County children.

Mr. Campbell stated that the A-C only has authority to have contact with the placed children through the group home management office since fiscal reviews are not available to them. Since Ms. Day's scope is limited to DCFS youth with respect to PD's use of non-contracted homes, A-C has no oversight mechanism.

In response to questions posed by the Committee, Mr. Hellmold clarified that A-C received a fraud allegation regarding the particular agency's fiscal improprieties. This agency did not have a rate letter issued by the

State so they did not qualify for AFDC funds. The reimbursement rate to the County would be between 40-70 percent. The unrecoverable funds were extrapolated based on the \$1 million that the agency received from the County over a one year period which the County was not eligible for reimbursement from the State or the Federal government for some of these children. Ms. Richardson also clarified that for non-contracted group homes, the rate letter should have been the first thing to be checked before placement occurred. DCFS receives notifications directly from the California Department of Social Services or the State when a rate letter is getting terminated. DCFS then works with the agency if children need to be transitioned out or the agency can appeal the rate termination letter.

Mr. Browning agreed that this was definitely an oversight. The State is reluctant to issue rate letters even though the agency is licensed and meets other requirements, however due to AB403, the State wants to restrict the number of group homes the County can use. Additionally, over the last four years, the County has lost 10 group homes; some went out of business due to finances and some were put out of business from the County due to performance. DCFS will correct the oversight.

Member of the public, Taylor Dudley, Alliance for Children, provided an example of how a placement with a non-contracted agency worked. Ms. Dudley spoke on a case where a youth needed additional help and a placement that was not available to her under the traditional means. This youth benefited from a placement in a non-contracted group home because she had an eating disorder and Alliance for Children worked with DCFS to place this youth in a home that was able to meet her special needs.

Any further questions will be directed to Tamara Hunter, MSW, Executive Director for discussion at a future presentation. PD was asked to provide a status update with category breakdowns.

Attachments: [SUPPORTING DOCUMENT](#)
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8. Discussion of Representation Matrix. (15-5191)

By common consent, there being no objection, this item was continued without discussion to the next meeting.

Attachments: [SUPPORTING DOCUMENT](#)

IV. PRESENTATIONS

9. Presentation on Policy Roundtable for Child Care Development by Commissioner Jacquelyn McCroskey. (15-5717)

Commissioner McCroskey reported on the following:

- **Provided a brief overview on the Policy Roundtable for Child Care and Development and it is one commission out of two Los Angeles County Commissions on Child Care. The Planning Committee is the other. The Roundtable is important because child care is critical and most funds come from the state. There is an expectation to review and provide a better understanding of policies at the State, Federal and County level regarding Child Care. Funds are mostly provided from the State of California and federal government are provided to approximately 300 locally contracted agencies, Los Angeles County funds are utilized as needed; and**
- **Los Angeles County can provide funding via the Temporary Assistance for Needy Families (TANF) Program and an alternative payments contract via the Department of Children and Family Services;**
- **Three exemplars on legislative issues regarding the Policy Roundtable's involvement in legislation impacting child care were provided to the Commission; a list of bills related to child care is provided on a monthly basis; County lobbyists can be utilized for bills regarding Child Care;**
- **The policy framework on child care related issues has been utilized as a tool to continue to improve child care and protect children. It is approved by the Board of Supervisors every two years. A copy was provided to the Commission.**

Attachments: [SUPPORTING DOCUMENT](#)

10. Presentation on First 5 LA Commission by Commissioner Patricia Curry. (15-5718)

Commissioner Curry reported on the following:

- **A brief overview of First 5 L.A. programs and activities was provided. First 5 L.A. was funded with Tobacco Tax money. As a result, many great programs were created. Copies of the budget summary were**

provided to the Commission;

- **Full implementation of programs such as the Best Start Communities, Home Visitation and Welcome Baby is anticipated for 2016; there are 14 Best Start Communities identified and contracts have been awarded. A business plan regarding the conclusion of the L.A. Up contract was provided to the Commission**
- **As a result of less smokers, programs funded by the Tobacco Tax including new or renewed of grants have decreased;**
- **The 2015-20 strategic plan includes a mission statement that encompasses children to enter kindergarten ready to succeed in life**
- **At the request of Committee members, Commissioner Curry can facilitate meetings with First 5 L.A. legislative staff and have staff present on various aspects of the programs; and**
- **The Commission has a non-voting Ex-Oficio seat; however, each Supervisorial District has an appointee with voting rights, other departments such as the Department of Children and Family Services, Los Angeles County Office of Education, Department of Mental Health and Department of Public also have voting rights. There are two other organizations with Ex-Oficio seats on the LA 5 Commission, ICAN and the Child Care Roundtable.**

V. MISCELLANEOUS

- 11. Announcements for the meeting of December 7, 2015. (15-5194)**

There were no announcements presented.

- 12. Matters not posted on the agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting of the Commission, or matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda. (15-5195)**

There were no matters presented.

13. Opportunity for members of the public to address the Commission on item(s) of interest that are within the jurisdiction of the Commission. (15-5196)

No members of the public addressed the Commission on this item.

14. Adjournment for the meeting of December 7, 2015. (15-5197)

The meeting adjourned at 11:34 a.m.